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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA  
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9                   JAMES ERNEST DICKERSON,  
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11                   Plaintiff,

12                   v.  
13                   SERGEANT KAMMERZELL,  
14

15                   Defendant.

16                   Case No. C06-5263 FDB  
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18                   ORDER ADOPTING REPORT AND  
19                   RECOMMENDATIONS DISMISSING  
20                   COMPLAINT WITHOUT PREJUDICE  
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22                   This matter comes before the Court on the Magistrate Judge's recommendation that  
23 Plaintiff's motion to voluntarily dismiss his action pursuant to Rule 41(a)(1) be granted. The Court,  
24 having reviewed the Report and Recommendation of Magistrate Karen L. Strombom, and the  
25 remaining record, does hereby find and Order:

26                   (1)     The Court adopts the Report and Recommendation;  
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28                   (2)     plaintiff's Complaint [Dkt. #7] is DISMISSED WITHOUT PREJUDICE pursuant to  
29                   Rule 41(a)(1) of the Federal Rules of Civil Procedure; and  
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31                   (3)     The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants,  
32                   and to the Hon. Karen L. Strombom.

33                   DATED this 3<sup>rd</sup> day of November, 2006.

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35                   FRANKLIN D. BURGESS  
36                   UNITED STATES DISTRICT JUDGE  
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